

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA *ex rel.*
MARK BENNETT AND BRENDA
KAMINSKI,

Relators,

v.

ENGINETICS AEROSPACE
FOREIGN SALES CORP., *et al.*,

Defendants.

: CIVIL ACTION NO. 3:13CV00342

: JUDGE TIMOTHY S. BLACK

: **FILED UNDER SEAL**

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

2014 SEP 19 PM 12:50

FILED
JOHN P. HEHMAN
CLERK

NOTICE OF ELECTION TO DECLINE INTERVENTION

The United States of America hereby notifies the Court of its decision not to intervene in this action. Although the Government declines to intervene, the Court is referred to 31 U.S.C. § 3730(b)(1), which allows the Relators to maintain the action in the name of the United States, provided, however, the action may be dismissed only if the Court and the Attorney General give written consent to the dismissal and their reasons for consenting. Therefore, the Government requests that, should either the Relators or the Defendants propose that this action be dismissed, settled, or otherwise discontinued, the parties solicit the written consent of the United States of America before any Court ruling on such a request.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States, and that orders issued by the Court be sent to the Government's undersigned counsel. The United States reserves the right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to

seek the dismissal of the Relators' action or claim. The United States also requests to be served with all notices of appeal.

Finally, the Government requests that Relators' Complaints, this Notice, and the attached proposed order be unsealed. The Government requests that all other pleadings filed in this case prior to this Notice remain under seal. In discussing the content and extent of the Government's investigation, such pleadings are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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s/Margaret A. Schutte

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Declination to Intervene was served this 19th day of September, 2014, by e-mail upon:

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